

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**DEMITRIUS WAYNE  
ALEXANDER,**

**Petitioner,**

**V.**

**WARDEN CALLOWAY, *et al.*,**

### Respondents.

**Case No. 2:22-cv-882-LCB-SGC**


## ORDER

Demitrius Wayne Alexander brings this suit seeking a writ of habeas corpus under 28 U.S.C. § 2254. (Doc. 1 at 1). In his petition, Alexander challenges his 2014 murder conviction and his accompanying 99-year sentence imposed by the Circuit Court of Jefferson County, Alabama. *Id.* On July 27, 2022, United States Magistrate Judge Staci G. Cornelius recommended that Alexander’s petition be dismissed for lack of jurisdiction. (Doc. 4 at 2). Judge Cornelius reasoned that: (1) Alexander previously filed a § 2254 petition challenging his 2014 murder conviction; (2) his previous petition was denied;<sup>1</sup> and (3) he has failed to obtain circuit-court authorization to file a successive § 2254 petition under 28 U.S.C. § 2244(b)(3)(A). *Id.* at 1–2. Alexander has filed no objection to Judge Cornelius’s recommendation.

<sup>1</sup> *Alexander v. Headley*, No. 2:19-cv-00930-RDP-SGC, 2020 WL 1235193, at \*3 (N.D. Ala. Mar. 12, 2020).

Having conducted a de novo review of the entire record, the Court **ADOPTS** Judge Cornelius's recommendation (Doc. 4); **DISMISSES** Alexander's instant § 2254 petition (Doc. 1) without prejudice under § 2244(b)(3)(A); **DENIES** Alexander's motion to proceed *in forma pauperis* (Doc. 2) as moot; and **DIRECTS** the Clerk of Court to close this case.

**DONE** and **ORDERED** August 19, 2022.



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**LILES C. BURKE**  
UNITED STATES DISTRICT JUDGE